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Prot. N. 2023 RPU-6

DECREE

IN THE NAME OF GOD. AMEN.

On January 28, 2021, following consultation with the Presbyteral Council of the Archdiocese of Chicago, I issued a decree extinguishing Our Lady of Victory Parish, St. Bartholomew Parish, and St. Pascal Parish, all on the Northside of the City of Chicago, uniting them in one new territorial parish called, *ad Interim*, Our Lady of Victory and SS. Bartholomew and Pascal Parish. The union was effective July 1, 2021. By decree dated June 3, 2021, it was determined that the new parish would be named Our Lady of the Rosary Parish. A petition for hierarchical recourse against the decree of January 28, 2021, was rejected before the Congregation for the Clergy on July 10, 2021 (Prot. N. 2021 1792).

On December 17, 2021, the Reverend Michael W. O'Connell, pastor of Our Lady of the Rosary Parish, after consulting his parishioners, discerned the continued use of Our Lady of Victory Church for worship was no longer feasible for the new Our Lady of the Rosary Parish. Consequently, he wrote to me and the Episcopal Vicar for his region of the archdiocese, asking that Our Lady of Victory Church be relegated to profane but not sordid use (C/C c. 1222 §2).

Therefore, according to law, I convened the Presbyteral Council of the Archdiocese of Chicago electronically on January 17, 2022, and January 18, 2022. After hearing the council's deliberations and the council's January 18, 2022, vote of 31 for and one against the proposal to relegate Our Lady of Victory Church of Our Lady of the Rosary Parish to profane but not sordid use, I issued a decree dated July 21, 2022, relegating the church as requested by the pastor and recommended by the Presbyteral Council.

Recourses against the decree of July 21, 2022, were taken within the permitted time limits by several recurrences and by another single recurrent to the Dicastery for the Clergy. On March 7, 2023, the recurrences and I received communication from the Prefect of the Dicastery for the Clergy indicating a decision on the recourse was prorogated until June 21, 2023. Meanwhile, the Dicastery asked me for an engineering report or other expert opinion to explain the sum of more than \$350,000.00 asserted as the cost of necessary repairs to Our Lady of Victory Church. To facilitate the submission of the engineering report, completed June 30, 2020, I revoked my decree of July 21, 2022. Afterward, the pastor, Father Michael W. O'Connell, reconsulted his parish finance council, his parish pastoral council, and other parishioners to determine whether there was any basis to reconsider the original request for relegation. Father O'Connell then wrote to me and the Episcopal Vicar for his region on May 8, 2023, again requesting the relegation of Our Lady of Victory Church

A church may be relegated to profane but not sordid use when, after hearing the presbyteral council, the diocesan bishop determines there is a "grave cause" indicating a church should no longer be used for divine worship and that the good of souls suffers no detriment from

the relegation. A Definitive Sentence of the College of the Supreme Tribunal of the Apostolic Signatura given May 4, 1996, considered what constituted the grave cause required for the relegation to profane but not sordid use of a church belonging to a parish formed from the union of parishes (Ministerium Iustitiae: *Jurisprudence of the Supreme Tribunal of the Apostolic Signatura*, Montreal: W & L (2011): Prot. N. 24388/93 CA, pp. 526-527).

As related in the Definitive Sentence, a new parish formed from the extinctive union of five parishes sought to relegate three of its five churches to profane but not sordid use. Faithful who worshipped at one of these churches took recourse against the relegation of their church. The Supreme Tribunal found that the following conditions together constituted the grave cause required for relegation: (1) preservation of all the churches would impose an intolerable burden on the new parish; (2) the church in question was no longer of service to the pastoral care of the faithful due to changed circumstances; (3) the new parish was burdened from the beginning by a huge debt; (4) sale of the church would offer ready and effective assistance, otherwise lacking, to the urgent needs of the new parish; (5) the number of faithful contributing to the support of the parish was diminishing; and (6) charity and other assistance to the poor should not be neglected to preserve a sacred building.

In this case it is established that (1) Retaining Our Lady of Victory Church of Our Lady of the Rosary Parish as a place of divine worship, imposes a financial burden on the parish from operational and maintenance expenses associated with the church. If kept for parish use, the Our Lady of Victory Church campus would require at least \$1,100,000.00 in capital repairs, more than \$350,000.00 for the church alone (see WJE, G/BA and Ward Inspection, June 30, 2020). Moreover, Our Lady of the Rosary Parish will have the burden of the ordinary annual expenses for maintaining a church.

(2) Our Lady of Victory Church is not needed for divine worship for the average of 487 Sunday worshippers regularly attending there in October 2019, before the arrival of the novel coronavirus pandemic of COVID-19. Those who worshipped at Our Lady of Victory Church are now well accommodated at the 1,200-seat parish church of St. Pascal and the 800-seat St. Bartholomew Church.

(3) On December 31, 2021, the combined debt of Our Lady of the Rosary Parish was \$2,787,542.00, offset by savings of \$499,595.00 on deposit.

(4) Sale or rental of Our Lady of Victory Church would benefit the mission of Our Lady of the Rosary Parish with ready cash proceeds. There will be immediate additional savings from unspent capital repairs and at least \$175,000.00 annually for maintenance.

(5) The total number of faithful regularly worshipping on Sundays at Our Lady of Victory Church was 487 in October 2019 (Fiscal Year 2020), an almost 50% decrease over the 967 attending in October 2004 (Fiscal Year 2005). Over the same 15-year period, the average offertory collections decreased by \$180,470.00, almost 34% (from \$532,511.00 to \$352,041.00).

(6) Preserving Our Lady of Victory Church for divine worship will result in continued and unnecessary operational and maintenance costs that will cripple the ability of Our Lady of the Rosary Parish to serve the poor, enhance its evangelical mission, and remain viable.

Finally, since March 2020, the novel coronavirus pandemic of COVID-19 has diminished parts of the United States economy, materially and negatively changing the financial well-being of the archdiocese, some of our parishes, and many poor and middle-class families. There is concern for the long-term economic survival of some institutions.

It is unreasonable to expect a new parish formed from the union of three parishes to continue maintaining a church it cannot afford, does not need, and which is no longer useful for divine worship. There are no parochial, archdiocesan, or other known sources of funds available to keep and maintain Our Lady of Victory Church as a place of Catholic worship, and no qualified buyer willing to do so. Moreover, there is no governmental assistance for maintaining this church for divine worship.

The reasonable path is to relegate the church to profane but not sordid use, allowing it to be sold or otherwise developed for the benefit of the new parish, its ministries, and the work of charity.

THEREFORE, know that I, Cardinal Blase J. Cupich, Archbishop of Chicago, according to the norms of the Code of Canon Law, convened the Presbyteral Council of the Archdiocese of Chicago in person at the St. Giles Church campus of St. Catherine of Siena-St. Lucy and St. Giles Parish, Oak Park, Illinois, on May 9, 2023. The council had before it all the information and data originally considered in January 2022, as well as the Engineering Inspection Report of June 30, 2020. Hearing the council's deliberations and the council's vote of 26 for and none against the proposal to relegate Our Lady of Victory Church of Our Lady of the Rosary Parish to profane but not sordid use; invoking the Holy Spirit; satisfying myself that the good of souls will suffer no detriment, and that the parish church of St. Pascal and St. Bartholomew Church are sufficient for the needs of the parish,

I decree the following:

1. Effective immediately, Our Lady of Victory Church of Our Lady of the Rosary Parish on the Northside of the City of Chicago is relegated to profane but not sordid use;
2. Officials of the Archdiocese of Chicago, cooperating with the pastor of Our Lady of the Rosary Parish will assure the real property associated with Our Lady of Victory Church is secure for the benefit of Our Lady of the Rosary Parish;
3. If alienated, the alienation of Our Lady of Victory Church is to provide Our Lady of the Rosary Parish with the proceeds from sale of the real property or rental under lease;
4. When approved, the reports given to the Presbyteral Council on this matter, together with the minutes of the council meeting of May 9, 2023, are to be attached to this decree and available upon request to eligible parties; and

Decree
Prot. N. 2023 RPU-6
May 11, 2023
Page 4

5. Notification of this decree is to be made immediately through publication on the Archdiocesan Website. It is then to be sent to the Pastor of Our Lady of the Rosary Parish for communication to parishioners through publication in the parish bulletin or other suitable means.

Before hierarchical recourse (appeal) may be taken against this decree, a written, signed, and dated petition to reconsider or amend the decree must be sent or delivered to the Archbishop of Chicago within ten (10) useful days from notification of the decree (CIC cc. 1734, 1735, 1737). The address is Office of the Archbishop, Archdiocese of Chicago, 835 North Rush Street, Chicago, Illinois 60611.

Given this 11th day of May, A.D. 2023.
From Holy Name Cathedral,
Chicago, Illinois

Francis Cardinal Geil
Archbishop of Chicago



[Handwritten Signature]
Ecclesiastical Notary

Attachments

ONCE AVAILABLE, DATA PERTAINING TO THIS DECREE AND SUBMITTED TO THE PRESBYTERAL COUNCIL OF THE ARCHDIOCESE OF CHICAGO AND MINUTES OF THE COUNCIL MEETING OF MAY 9, 2023, MAY BE REQUESTED BY ELIGIBLE PARTIES FROM THE OFFICE FOR CANONICAL AFFAIRS